



Attorney Docket No. 04329.2350  
Customer Number 22,852

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EW  
2811

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
Osamu ARISUMI	)	Group Art Unit: 2811
Application No.: 09/617,138 ✓	)	Examiner: Not Yet Assigned
Filed: July 14, 2000	)	Confirmation No. N/A
For: SEMICONDUCTOR DEVICE AND ITS MANUFACTURING METHOD	)	

**MAIL STOP: OIPE**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Applicant received a Notice of Abandonment, dated March 15, 2007, indicating that the above-referenced application was abandoned for failure to timely file a proper reply to the Notice to File Missing Parts (Notice) mailed September 6, 2000. Applicant submits that this Notice of Abandonment is in error, for the reasons presented below.

Applicant filed a Response to Notice to File Missing Parts, including the payment of the surcharge fee of \$130.00, on November 6, 2000. Applicant attaches a copy of the Response to Notice to File Missing Parts, as-filed, together with a copy of the properly itemized postcard receipt from the U.S.P.T.O., date-stamped November 6, 2000, acknowledging receipt, and a copy of the Notice of Abandonment.

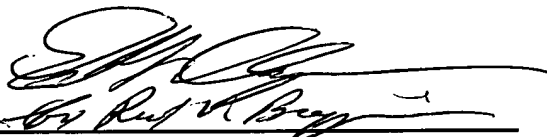
Therefore, Applicant respectfully requests that the Notice of Abandonment be withdrawn.

Because the Notice of Abandonment was issued in error, Applicant is not enclosing a petition fee. However, if the Office determines that any fee is required for this matter, please charge the required fee to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 23, 2007

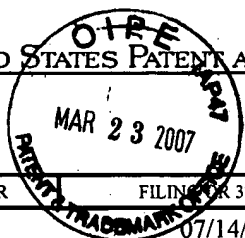
By:   
Richard V. Burgujian  
Reg. No. 31,744

RVB/FPD/klm

ERNEST F. CHAPMAN  
Reg. No. 25,961



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/617,138	07/14/2000	Osamu Arisumi	04329.2350

CONFIRMATION NO. 5704

ABANDONMENT/TERMINATION  
LETTER

22852

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP901 NEW YORK AVENUE, NW  
WASHINGTON, DC 20001-4413**RECEIVED**

MAR 19 2007

Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.

Date Mailed: 03/15/2007

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/06/2000.

- The reply received on 10/06/2005 was untimely.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-

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Petition due 5-15-07

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identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

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*A copy of this notice **MUST** be returned with the reply.*



Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199

PART 1 - ATTORNEY/APPLICANT COPY

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of : Osamu ARISUMI

Serial No.: 09/617,138      Group Art Unit: 2811

Filed: July 14, 2000

For: SEMICONDUCTOR DEVICE AND ITS MANUFACTURING METHOD

**BOX MISSING PART**

1. Response To Notice To File Missing Parts
2. Copy of Notice To File Missing Parts
3. Declaration and Power of Attorney
4. Check for \$130.00 for surcharge fee
5. Claim for Priority
6. Certified Copy of Japanese Patent Application No. 11-200901,  
filed on July 14, 1999



Dated: November 6, 2000

CASE REF: 04329.2350

(Due Date: November 6, 2000)

RVB  Voci

NOV 06 2000

*Handwritten:*  
11/07  
DS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Osamu ARISUMI

Serial No.: 09/617,138

Filed: July 14, 2000



Group Art Unit: 2811

Examiner: Not Assigned

For: SEMICONDUCTOR DEVICE AND ITS MANUFACTURING METHOD

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention:

**BOX MISSING PARTS**

Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice To File Missing Parts dated September 6, 2000,  
enclosed is the Declaration and a copy of the Notice To File Missing Parts.

Also enclosed is a check in the amount of \$130.00 to cover the surcharge fee.  
Authorization is hereby given to charge any additional fees to our deposit account  
no. 06-0916.

Please associate this Declaration with the application as filed on July 14, 2000  
and assigned serial number 09/617,138.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: David W. Hill, Reg. No. 28,220  
for Richard V. Burgujian  
Reg. No. 31,744

Dated: November 6, 2000  
RVB/FPD/sci  
Enclosures

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

## DECLARATION FOR PATENT APPLICATION

00S0412

As a below named inventor, I declare:  
that I verily believe myself to be the original, first and sole (if only one individual inventor is listed below) or an original, first and joint inventor (if more than one individual inventor is listed below) of the invention in

## SEMICONDUCTOR DEVICE AND ITS MANUFACTURING METHOD

the specification of which is attached hereto unless the following box is checked.

☒ was filed on July 14, 2000 as United States Application  
or PCT International Application No. 09/617,138, and  
was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or 35 U.S.C. 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Country	Category	Application No.	Filing Date	Priority Claim
Japan	Patent	11-200901	July 14, 1999	Yes

And I hereby appoint Douglas B. Henderson (Reg. No. 20, 291), Ford F. Farabow, Jr. (Reg. No. 20, 630), Arthur S. Garrett (Reg. No. 20, 338), Donald R. Dunner (Reg. No. 19, 073), Brian G. Brunsvold (Reg. No. 22, 593), Tipton D. Jennings, IV (Reg. No. 20, 645), Jerry D. Voight (Reg. No. 23, 020), Laurence R. Hefter (Reg. No. 20, 827), Kenneth E. Payne (Reg. No. 23, 098), Herbert H. Mintz (Reg. No. 26, 691), C. Larry O'Rourke (Reg. No. 26, 014), Albert J. Santorelli (Reg. No. 22, 610), Michael C. Elmer (Reg. No. 25, 857), Richard H. Smith (Reg. No. 20, 609), Stephen L. Peterson (Reg. No. 26, 325), John M. Romary (Reg. No. 26, 331), Bruce C. Zotter (Reg. No. 27, 680), Dennis P. O'Reilly (Reg. No. 27, 932), Allen M. Sokal (Reg. No. 26, 695), Robert D. Bajefsky (Reg. No. 25, 387), Richard L. Stroup (Reg. No. 28, 478), David W. Hill (Reg. No. 28, 220), Thomas L. Irving (Reg. No. 28, 619), Charles E. Lipsey (Reg. No. 28, 165), Thomas W. Winland (Reg. No. 27, 605), Basil J. Lewris (Reg. No. 28, 818), Martin I. Fuchs (Reg. No. 28, 508), E. Robert Yoches (Reg. No. 30, 120), Barry W. Graham (Reg. No. 29, 924), Susan Haberman Griffen (Reg. No. 30, 907), Richard B. Racine (Reg. No. 30, 415), Thomas H. Jenkins (Reg. No. 30, 857), Robert E. Converse, Jr. (Reg. No. 27, 432), Clair X. Mullen, Jr. (Reg. No. 20, 348), Christopher P. Foley (Reg. No. 31, 354), John C. Paul (Reg. No. 30, 413), David M. Kelly (Reg. No. 30, 953), Kenneth J. Meyers (Reg. No. 25, 146), Carol P. Einaudi (Reg. No. 32, 220), Walter Y. Boyd, Jr. (Reg. No. 31, 738), Steven M. Anzalone (Reg. No. 32, 095), Jean B. Fordis (Reg. No. 32, 984), Barbara C. McCurdy, (Reg. No. 32, 120), James K. Hammond (Reg. No. 31, 964), Richard V. Burgujian (Reg. No. 31, 744), J. Michael Jakes (Reg. No. 32, 824), Thomas W. Banks (Reg. No. 32, 719), M. Paul Barker (Reg. No. 32, 013) and Charles E. Van Horn (Reg. No. 40, 266), each of whose address is 1300 I Street, N.W., Washington, D.C., 20005-3315, or any one of them, my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent & Trademark Office connected therewith, and request that correspondence be directed to Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., 1300 I Street, N.W., Washington, D.C., 20005-3315.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## DECLARATION FOR PATENT APPLICATION

00S0412

I declare further that my post office address is at c/o  
Intellectual Property Division, KABUSHIKI KAISHA TOSHIBA, 1-1 Shibaura  
1-chome, Minato-ku, Tokyo 105-8001, Japan; and  
that my citizenship and residence are as stated below next to my name:

Inventor: (Signature)DateResidenceOsamu ArisumiDate: SEP. 22. 2000Citizen of: JapanYokohama-shi, Japan

Osamu Arisumi

Date:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: Japan

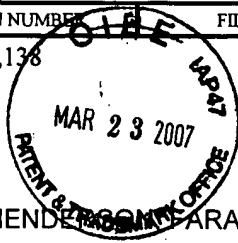




## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/617,138	07/14/2000	Osamu Arisumi	04329.2350



22852  
 FINNEGAN, HENDERSON, PARABOW, GARRETT & DUNNER  
 LLP  
 901 NEW YORK AVENUE, NW  
 WASHINGTON, DC 20001-4413

CONFIRMATION NO. 5704  
 ABANDONMENT/TERMINATION  
 LETTER

Date Mailed: 03/15/2007

### NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/06/2000.

- The reply received on 10/06/2005 was untimely.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-

identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (571) 272-3282.

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*A copy of this notice **MUST** be returned with the reply.*



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Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 03/06/00.

### Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within **2 months** from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

### Petition to Revive an Abandoned Application

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

1. an adequate showing of the cause of unavoidable delay;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(i); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

1. a statement that the entire delay was unintentional;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(m); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282.

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202.

# Transaction List

Search by

☐ Accounting Date:  Operator ID:   
(MMDDYY)

Accounting Date



☒ Name/Number:

Starts:

Ends:

☐ Attny Docket No:

☐ Deposit Account No.:

<input type="text"/>	<input type="text"/>
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Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acct
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11/07/2000	RHARIS1	160	SALE	105	A	130.00	09617138	
07/24/2000	LWASHING	241	SALE	102	A	78.00	09617138	
07/24/2000	LWASHING	240	SALE	101	A	690.00	09617138	



Adjustment Detail

Authorization Detail

